

WEDNESDAY, APRIL 17, 1985

THIRTY-SIXTH LEGISLATIVE DAY

The House met at 1:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Tommy Edwards, First Methodist Church, Brownsville, Tennessee.

Representative Crain led the House in the Pledge of Allegiance to the flag.

The roll call was taken with the following results:

Present 93

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

The Speaker announced that Representative Treadway was excused because of special election.

The Speaker announced that Representative Robinson (Hamilton) was excused because of a death in the family.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 318, 508, 656 and 903; also, House Joint Resolutions Nos. 105, 198, 201, 209, 226, 227 and 239; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 318, 508, 656 and 903; House Joint Resolutions Nos. 105, 198, 201, 209, 226, 227 and 239; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 141, 155, 156, 274, 417, 570, 695, 717, 725, 837, 960 and 1034; Senate Joint Resolutions Nos. 53, 54, 92 and 93; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 141, 155, 156, 274, 417, 570, 695, 717, 725, 837, 960 and 1034; and Senate Joint Resolutions Nos. 53, 54, 92 and 93.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 314, 319, 351, 397, 706, 707, 865, 1004 and 1066; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House

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Bills Nos. 314, 319, 351, 397, 706, 707, 865, 1004 and 1066.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following additional bill on the Calendar for Wednesday, April 16, 1985: House Bill No. 624.

GILL, Chairman.

CALENDAR

House Bill No. 582--To make certain provisions, mining.

Ms. Duer moved that House Bill No. 582 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 582 by deleting Section 41 in its entirety and by substituting instead the following:

SECTION 41. Tennessee Code Annotated, Section 59-12-103, is amended by inserting the words "highly skilled" between the words "for" and "miners" in the second sentence of the section, and by inserting the following words and punctuation between the second and third sentences of the section:

Subject to the availability of funds, such members further may be reimbursed for mileage expenses incurred for attendance at official drills, in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general.

On motion, the amendment was adopted.

Thereupon, House Bill No. 582, as amended, passed its third and final consideration by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy,

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Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

House Bill No. 532--To amend Workers Compensation Law.

Mr. Robinson (Davidson) moved that House Bill No. 532 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 532 by deleting the amendatory subsection (b) in Section 1 in its entirety and by substituting instead the following:

(b) An employee totally disabled due to coal workers' pneumoconiosis shall be paid benefits during disability as provided for by the Federal Coal Mine Health and Safety Act of 1969 (U.S.C., Title 30, Section 901 et. seq.). In accordance with such Federal Coal Mine Health and Safety Act of 1969, if said employee has one (1) or more dependents the payments shall be increased fifty percent (50%), of such payments for the first dependent, seventy-five percent (75%) for two (2) dependents, and one hundred percent (100%) for three (3) or more dependents. In case of death of an employee receiving benefits under this chapter, benefits shall be paid to his widow and any dependents in the same manner provided in the Federal Coal Mine Health and Safety Act of 1969 as applicable to employees suffering from coal workers' pneumoconiosis. Benefits paid under this subsection shall not be subject to the maximum compensation limitations set forth in Tennessee Code Annotated, Section 50-6-205, subdivisions (1), (3), and (4) of Tennessee Code Annotated, Sections 50-6-207, Tennessee Code Annotated, Sections 50-6-209, 50-6-210(e) (10) or any other sections of the workers' compensation law, but the maximum compensation limitations shall be controlled exclusively by the maximum compensation benefits and limitations established under the Federal Coal Mine Health and Safety Act of 1969 (U.S.C., Title 30, Section 901 et. seq.) as applicable to employees suffering from coal workers' pneumoconiosis. However, the minimum compensation limitations for employees suffering from coal workers' pneumoconiosis shall be no less than those set forth in such Federal Coal Mine Health and Safety Act of 1969.

AND FURTHER AMEND by adding the following new section immediately preceding the last section by renumbering the subsequent section accordingly:

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Section _____. The provisions of this act shall only apply to claims filed after the effective date of this act.

On motion, the amendment was adopted.

Thereupon, House Bill No. 532, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Rhinehart--1.

A motion to reconsider was tabled.

House Bill No. 470--To enact allocation plan, student loans.

On motion, House Bill No. 470 was made to conform with Senate Bill No. 213.

On motion, Senate Bill No. 213, on same subject, was substituted for House Bill No. 470.

Ms. Stafford moved that Senate Bill No. 213 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	3
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore

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(Sullivan), Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Henry, Murphy and West--3.

Representative present and not voting was: Miller--1.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 127--To make certain provisions, licensing auctioneers.

Mr. Collier moved that House Bill No. 127 be passed on third and final consideration.

Mr. Collier moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 127 by deleting Sections 2 & 3 and renumbering Section 4 as Section 2.

On motion, the amendment was adopted.

Mr. Covington moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 127 by deleting Section 2 in its entirety and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 62-19-103, is amended by deleting subitems (6), (7) and (8) and substituting instead the following:

(6) Any auction conducted for the sale of livestock sponsored through or in cooperation with the state department of agriculture and/or the University of Tennessee Extension Service;

(7) Any person who performs acts in connection with or is otherwise involved in an auction provided such person is not the person vocally conducting an auction; and

(8) Any auctioneer conducting a sale of tobacco at or for a warehouse operated pursuant to chapter 19 of title 43.

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Mr. Collier moved that the Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	44
Noes	42
Present and not voting	1

Representatives voting aye were: Bewley, Bivens, Buck, Burnett, Collier, Crain, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Drew, Frensley, Gaia, Henry, Hillis, Hobbs, Huskey, Ivy, Jared, Jones, Kisber, McCroskey, Moore (Sullivan), Murray, Naifeh, Napier, Phillips, Ridgeway, Robinson (Washington), Scruggs, Shirley, Stallings, Starnes, Turner, L. (Shelby), Webb, Wheeler, Whitson, Winningham, Work, Yelton and Mr. Speaker McWherter --44.

Representatives voting no were: Bell, Bragg, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Covington, Cross, Davis (Knox), Dills, Dixon, Duer, Ellis, Gafford, Gill, Harrill, Hassell, Hurley, Kent, King, Lawson, Love, McAfee, McNally, Montgomery, Moody, Murphy, Nance, Pruitt, Rhinehart, Severance, Stafford, Swann, Tankersley, Turner, B. (Hamilton), Turner, C. (Shelby), Ussery, West, Williams, Wix, Wolfe and Wood--42.

Representative present and not voting was: Garrett--1.

Mr. Clark (Sumner) moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 127 by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-19-102 (a) (2) is amended by deleting such subsection in its entirety and substituting instead the following:

(2) Vocally conduct, or offer to vocally conduct, an auction of real property unless such person is duly licensed as an auctioneer, and as a broker or affiliate broker under the provisions of the Tennessee Real Estate Broker License Act of 1973, compiled in chapter 13 of title 62.

Mr. Hobbs moved that Amendment No. 3 be tabled, which motion failed.

Mr. Collier moved that House Bill No. 127 be placed on the Calendar for Wednesday, April 24, 1985, which motion prevailed.

Mr. Speaker McWherter resumed the Chair.

RECESS

On motion of Mr. Kisber, the House recessed for the purpose of hearing an address by Mr. Katzir, the Consulate General of Israel to recognize the thirty-seventh anniversary of Israeli independence.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

House Bill No. 962--To make certain provisions, home health care agencies.

On motion, House Bill No. 962 was made to conform with Senate Bill No. 727.

On motion, Senate Bill No. 727, on same subject, was substituted for House Bill No. 962.

Mr. Burnett moved that Senate Bill No. 727 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	9
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Love, McAfee, McCroskey, McNally, Miller, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--85.

Representatives voting no were: Chiles, Cobb, Kernell, Lawson, Montgomery, Moody, Phillips, Stafford and Stallings--9.

Representative present and not voting was: Covington--1.

A motion to reconsider was tabled.

House Bill No. 966--To regulate certain funds, property improvement.

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Mr. Burnett moved that House Bill No. 966 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 967--To regulate fee collection, court clerks.

On motion, House Bill No. 967 was made to conform with Senate Bill No. 393.

On motion, Senate Bill No. 393, on same subject, was substituted for House Bill No. 967.

Mr. Burnett moved that Senate Bill No. 393 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 393 by deleting from the amendatory language of Section 1 the words "the Circuit or Criminal Clerk may" and substituting instead the words "the Circuit or Criminal Clerk in counties having a population of 74,500 or more according to the 1980 federal census or any subsequent federal census may,"

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 393, as amended, passed its third and final consideration by the following vote:

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Ayes	72
Noes	14
Present and not voting	5

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Crain, Cross, Curlee, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, Kernell, Kisber, Lawson, Love, May, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Phillips, Ridgeway, Robinson (Washington), Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Williams, Winningham, Wolfe, Work, Yelton and Mr. Speaker McWherter--72.

Representatives voting no were: Chiles, Cobb, Davidson, Dills, Ellis, Harrill, Henry, Jared, Peroulas, Scruggs, Stafford, Wheeler, Whitson and Wood--14.

Representatives present and not voting were: Brewer, Covington, Miller, Rhinehart and Wix--5.

A motion to reconsider was tabled.

House Bill No. 970--To make certain provisions, licensing contractors.

On motion, House Bill No. 970 was made to conform with Senate Bill No. 586.

On motion, Senate Bill No. 586, on same subject, was substituted for House Bill No. 970.

Mr. Burnett moved that Senate Bill No. 586 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	60
Noes	29
Present and not voting	2

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Burnett, Byrd, Clark (Sumner), Collier, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Frensley, Gaia, Garrett, Gill, Hassell, Hillis, Hurley, Huskey, Ivy, Jones, Kent, Kisber, Love, McNally, Miller, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Starnes, Swann, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, Williams, Work, Yelton and Mr. Speaker McWherter--60.

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Representatives voting no were: Bewley, Buck, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davis (Gibson), Dills, Duer, Gafford, Harrill, Henry, Hobbs, Jared, Lawson, McAfee, Montgomery, Rhinehart, Stafford, Stallings, Tankersley, West, Whitson, Winningham, Wix, Wolfe and Wood--29.

Representatives present and not voting were: Moore (Shelby) and Turner, C. (Shelby)--2.

A motion to reconsider was tabled.

House Bill No. 971--To regulate contractors.

On motion, House Bill No. 971 was made to conform with Senate Bill No. 587.

On motion, Senate Bill No. 587, on same subject, was substituted for House Bill No. 971.

Mr. Burnett moved that Senate Bill No. 587 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 976--To make certain provisions, investment of idle funds.

On motion, House Bill No. 976 was made to conform with Senate Bill No. 199.

On motion, Senate Bill No. 199, on same subject, was substituted for House Bill No. 976.

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Mr. Burnett moved that Senate Bill No. 199 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 199 by deleting from Section 1, Item (4), in its entirety and substituting a new Item (4) as follows:

(4) Certificates of deposit and other evidence of deposit at state and federal chartered banks and savings and loan associations. All investments made pursuant to this item shall be secured in the manner set forth in Section 9-1-107 or 9-5-209.

AND FURTHER AMEND by changing the period to a semicolon and by adding the following words and punctuation to the end of Item (5), Section 1, of the bill:

"provided, however, that municipalities may invest in repurchase agreements only if the state director of local finance approves repurchase agreements as an authorized investment and if such investments are made in accordance with procedures established by the state funding board."

AND FURTHER AMEND by changing the period to a semicolon and by adding the following words and punctuation to the end of Item (6), Section 1, of the bill:

"provided, however, that municipalities may invest in money market funds only if the state director of local finance approves money market funds as an authorized investment and if such investments are made in accordance with procedures established by the state funding board."

AND FURTHER AMEND by changing the period to a semicolon and by adding the following words and punctuations to the end of the second sentence of Item (7) in Section 1 of the bill:

"however, such investments may have a maturity of greater than two (2) years from the date of investment if such maturity is approved by the state director of local finance."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 199, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner),

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Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --96.

A motion to reconsider was tabled.

House Bill No. 977--To regulate conflicts of interest municipal officials.

On motion, House Bill No. 977 was made to conform with Senate Bill No. 197.

On motion, Senate Bill No. 197, on same subject, was substituted for House Bill No. 977.

Mr. Burnett moved that Senate Bill No. 197 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

A motion to reconsider was tabled.

Mr. Dixon moved that House Bill No. 445 be placed on the Calendar for Wednesday, April 24, 1985, which motion prevailed.

House Bill No. 140--To regulate management, certain county funds.

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On motion, House Bill No. 140 was made to conform with Senate Bill No. 164.

On motion, Senate Bill No. 164, on same subject, was substituted for House Bill No. 140.

Mr. Swann moved that Senate Bill No. 164 be passed on third and final consideration.

Mr. Swann moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 164 by adding the following language and punctuation at the end of Section 1 of the bill:

"Funds which are the proceeds of a sale of bonds or bond anticipation notes and funds which are pledged for debt service reserve on any bond or bond anticipation note may be invested in the obligations set out herein for a period longer than one year so long as such longer period is approved by the state director of local finance, except that such approval shall not be necessary for investments in the pooled investment fund established by Chapter 17 of Title 9. Such funds may be invested in repurchase agreements only if the state director of local finance approves repurchase agreements as an authorized investment and if such investments are made in accordance with procedures established by the state funding board."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 164, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

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Mr. Robinson (Davidson) moved that Senate Bill No. 259, be referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 896--To enact Modular Building Act.

On motion, House Bill No. 896 was made to conform with Senate Bill No. 693.

On motion, Senate Bill No. 693, on same subject, was substituted for House Bill No. 896.

Mr. Severance moved that Senate Bill No. 693 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 693 by adding the following sentence at the end of Section 3 (a) (1):

Provided however, any person, or any organization whose membership is comprised of persons, employed by a manufacturer of modular units or owning any interest in any such manufacturing business shall be ineligible for approval by the commissioner to serve as a inspection agency.

On motion, the amendment was adopted.

Mr. Severance moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 693 by deleting Section 14, 15, 16, 17 and 18 in their entirety, and designating subsequent sections accordingly.

AND FURTHER AMEND by deleting in Section 1 the words and figures "Sections 2 through 9" and substituting the words and figures "Sections 2 through 10".

AND FURTHER AMEND by deleting in Section 2 (a) the words "Tennessee Modular" and substituting the words "Tennessee Residential Modular".

AND FURTHER AMEND by adding at the end of Section 2 the following:

The Commissioner shall consider fully all written submissions of the advisory council respecting proposed rules.

AND FURTHER AMEND by deleting in Section 3 (a) (6) the sentence "This term is not limited to residential buildings." and substituting the following:

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This term applies only to units intended for or used for residential occupancy. "Residential occupancy" shall have the same meaning as that term is defined in the standard building code, as it is or is hereafter amended.

AND FURTHER AMEND by adding the following new Section 10 and designating subsequent sections accordingly:

SECTION 10. (a) There is hereby created a modular building advisory council, to be composed of seven (7) members to be appointed by the governor to a term of two (2) years, to make recommendations to the commissioner concerning the promulgation of rules and regulations pursuant to this act. The council shall consist of one (1) architect, one (1) civil engineer, three (3) county or municipal codes officials, one (1) from each grand division of the state, one (1) representative from the modular building industry, and one (1) representative from the general public. Members of the council shall not be compensated but shall be reimbursed travel expenses in accordance with the travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(b) The council shall make recommendations to the commissioner concerning the requirements and applicable standards to be adopted, the criteria for review of the inspection agencies, the criteria for establishing reciprocity agreements with other states, and methods for communicating the inspection program to local governments.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 693, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

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Representative present and not voting was: Swann--1.

A motion to reconsider was tabled.

House Bill No. 272--To enact membership Camping Act, 1985.

On motion, House Bill No. 272 was made to conform with Senate Bill No. 373.

On motion, Senate Bill No. 373, on same subject, was substituted for House Bill No. 272.

Ms. Duer moved that Senate Bill No. 373 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 373 by deleting subsection (b) of Section 2 in its entirety and by relettering the subsequent subsections accordingly.

AND FURTHER AMEND Section 2 by deleting from the language of subsection (i) the language "Membership Camping Operator does not include:" and by deleting subdivisions (1) and (2).

AND FURTHER AMEND Section 2, subsection (j), subdivision (3) by inserting the following language between the word "no" and the word "obligations".

"obligation or liability to assume the responsibilities or"

AND FURTHER AMEND by adding the following language at the end of Section 3:

(m) A description of the manner in which the Membership Camping Operator has complied or proposes to comply with the provisions of Section 7 of this Act;

(n) A description of any liens, defects or encumbrances on or affecting the title to the Membership Contracts or to the campgrounds.

(o) A statement of the amount, or a statement that there is no amount, included in the budget as a reserve for repairs and replacement;

(p) The projected common expense liability, if any, by category of expenditures for the members;

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(q) Any initial or special fee due from the purchaser at closing, together with a description of the purpose and method of calculating the fee.

(r) A description of the insurance coverage, or a statement that there is no insurance coverage, provided for the benefit of Members.

(s) A statement of the means, including all financial arrangements, by which the developer proposes to assure the completion of all promised improvements.

AND FURTHER AMEND by deleting the first sentence of the language of Section 4 and by inserting instead the following:

Any Membership Camping Contract may be cancelled at option of the purchaser by personally delivering or sending written notice of the cancellation to the Membership Camping Operator at the address shown in the contract. The notice must be posted not later than midnight of the fifteenth calendar day following the day on which the Membership Camping Contract was signed if the purchaser did not make an on-site inspection of the campground or the tenth calendar day following the day on which the Membership Camping Contract was signed if the purchaser did make an on-site inspection of the campground.

AND FURTHER AMEND by deleting from Section 5, subsection (a), subdivision (4) the language following the word "offered".

AND FURTHER AMEND by deleting the language in Section 5, subsection (a), subdivision (5) (B) in its entirety and substituting instead the following:

(B) The approximate duration of any normal sales presentation and tour.

AND FURTHER AMEND by deleting the word "leader" in the language of Section 7, subsection (b) and substituting instead the word "lender".

AND FURTHER AMEND by deleting from the language of Section 7 the word "three".

AND FURTHER AMEND by adding the following subsections to the language of Section 7:

(c) In the event the Membership Camping Operator is selling real estate to purchasers, each person holding an interest in a Blanket Encumbrance shall have executed and delivered an agreement providing for periodic releases from the Blank Encumbrance as real estate sales fees are paid on the debt. Provided, however, in such case, the Membership Camping Operator shall have obtained an Irrevocable letter of credit or surety

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bonds in favor of the holder of the Blanket Encumbrance insuring the completion of the roads and structural amenities which are promised for the project now being developed.

(d) The Membership Campground Operator whose project is subject to an underlying blanket lien or encumbrance may obtain the agreement of the lienholder to take the project, in the event of default by the developer, subject to the rights of the non-defaulting purchasers by posting a bond equal to fifty percent (50%) of the amount owed to the lienholder, making an assignment of receivables equal to one hundred twenty-five percent (125%) of the principal amounts due to the lienholder, pledging collateral security equal to one hundred percent (100%) of the amount owed to the lienholder or entering into any other financing plan or escrow agreement acceptable to the lienholder.

AND FURTHER AMEND by deleting the word "to" in the second sentence of the language of Section 8.

AND FURTHER AMEND by deleting the word "five" in the last sentence of Section 8 and by substituting instead the word "two".

AND FURTHER AMEND by adding the following Section 9 and by renumbering all subsequent sections accordingly:

SECTION 9. The provisions of this chapter shall not apply to:

(a) Mobile Home parks or camping or recreational trailer parks which are open to the general public and do not solicit purchases of Membership Camping Contracts, but rather contain only camping sites rented for per use fee; or

(b) Any person who engages in the business of arranging and selling reciprocal programs and who does not own campgrounds and facilities; or

(c) Sales of time share intervals in a time share project which is registered under the Tennessee Time Share Act, Tennessee Code Annotated, Title 66, Chapter 32.

AND FURTHER AMEND by deleting the language of Section 12 in its entirety and by substituting instead the following:

"This act shall take effect on July 1, 1985, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 373, as amended, passed its third and final consideration by the following vote:

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Ayes 96
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 655--To regulate use, community grant funds.

Mr. Davidson moved that House Bill No. 655 be passed on third and final consideration.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 655 by adding a new section to read as follows:

SECTION__. Except such meetings that are called solely to discuss matters involving confidential doctor, patient relationships, personnel matters or matters required to be kept confidential by federal or state law or by federal or state regulation shall not be covered under the provisions of this act, and no other matter shall be discussed at such meetings.

AND FURTHER AMEND by striking the words and figures ten percent (10%) and substituting instead the words and figures thirty percent (30%)

On motion, the amendment was adopted.

Thereupon, House Bill No. 655, as amended, passed its third and final consideration by the following vote:

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Ayes	92
Noes	4

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Bewley, Chiles, Scruggs and Shirley--4.

A motion to reconsider was tabled.

House Bill NO. 661--To make certain provisions, waterfowl licenses.

On motion, House Bill No. 661 was made to conform with Senate Bill No. 722.

On motion, Senate Bill No. 722, on same subject, was substituted for House Bill No. 661.

Mr. Stallings moved that Senate Bill No. 722 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

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A motion to reconsider was tabled.

House Bill No. 579--To provide for additional member, Retirement Board.

On motion, House Bill No. 579 was made to conform with Senate Bill No. 525.

On motion, Senate Bill No. 525, on same subject, was substituted for House Bill No. 579.

Mr. Starnes moved that Senate Bill No. 525 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Scruggs--1.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 883--To regulate Health Facilities Commission.

Mr. Starnes moved that House Bill No. 883 be passed on third and final consideration.

Mr. King moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 883 by deleting Section 2 in entirety and substitute instead the following:

Section 2. Tennessee Code Annotated, Section 4-29-208, is amended by adding the following language as an appropriately numbered new item:

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() Health Facilities Commission, created by Section 68-11-106

On motion, the amendment was adopted.

Mr. King moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 883 by deleting Section 2 in its entirety and by substituting instead the following:

SECTION 2. (a) Tennessee Code Annotated, Section 4-29-208, is amended by adding the following language as an appropriately numbered new item:

() Health Facilities Commission, created by Section 69-11-106;

(b) The Division of State Audit within the Office of the Comptroller of the Treasury shall review the Health Facilities Commission prior to June 30, 1987.

On motion, the amendment was adopted.

Thereupon, House Bill No. 883, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Chiles--1.

A motion to reconsider was tabled.

House Bill No. 572--To provide for operating funds, certain hospital projects.

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On motion, House Bill No. 572 was made to conform with Senate Bill No. 512.

On motion, Senate Bill No. 512, on same subject, was substituted for House Bill No. 572.

Mr. Starnes moved that Senate Bill No. 512 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 624--To enact Racing Control Act.

On motion, House Bill No. 624 was made to conform with Senate Bill No. 604.

On motion, Senate Bill No. 604, on same subject, was substituted for House Bill No. 624.

Mr. King moved that Senate Bill No. 604 be passed on third and final consideration.

Mr. Rhinehart moved that Senate Bill No. 604 be referred to the Committee on Finance, Ways and Means.

Mr. King moved that the motion be tabled, which motion failed by the following vote:

Ayes	44
Noes	49
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Burnett, Chiles, Cobb, Collier, Darnell, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Drew, Ellis, Frenslev, Gafford, Gaia, Henry, Hurley,

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Jones, Kernell, King, Kisber, Love, May, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Peroulas, Pruitt, Ridgeway, Robinson (Washington), Scruggs, Severance, Stafford, Tanner, Turner, L. (Shelby), Webb, West and Williams--44.

Representatives voting no were: Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Gibson), Dills, Duer, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Huskey, Ivy, Jared, Kent, Lawson, McAfee, McCroskey, McNally, Montgomery, Moody, Nance, Napier, Phillips, Rhinehart, Robinson (Davidson), Shirley, Stallings, Starnes, Swann, Tankersley, Turner, B. (Hamilton), Turner, C. (Shelby), Ussery, Whitson, Winningham, Wix, Wolfe, Wood, Work and Yelton--49.

Representative present and not voting was: Bragg--1.

Mr. Turner, C. (Shelby) moved the previous question, on the referral motion, which motion prevailed by the following vote:

Ayes	71
Noes	18

Representatives voting aye were: Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Cobb, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, Kisber, Love, May, McAfee, McCroskey, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Whitson, Williams and Yelton--71.

Representatives voting no were: Bell, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Covington, Dills, Kent, Lawson, McNally, Swann, Tankersley, Turner, C. (Shelby), Ussery, Winnington, Wix, Wolfe and Wood--18.

Thereupon, the motion to refer Senate Bill No. 604 to the Committee on Finance, Ways and Means failed by the following vote:

Ayes	39
Noes	54
Present and not voting	1

Representatives voting aye were; Bell, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Crain, Cross, Curlee, Davidson, Dills, Duer, Garrett, Gill, Hassell, Hillis, Ivy, Kent, Lawson, McAfee, McCroskey, Moody, Nance, Napier, Rhinehart, Shirley, Stallings, Starnes, Swann, Tankersley, Turner, C. (Shelby), Ussery, Whitson, Williams, Winningham, Wix, Wolfe, Wood and Work--39.

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Representatives voting no were: Bewley, Bivens, Brewer, Burnett, Chiles, Cobb, Collier, Covington, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Harrill, Henry, Hobbs, Hurley, Huskey, Jared, Jones Kernell, King, Kisber, Love, May, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Washington), Scruggs, Severance, Stafford, Tanner, Turner, B. (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler and Yelton--54.

Representative present and not voting was: Bragg--1.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 604 by adding the following language as an appropriately designated item within Section (3):

() "County" means any county containing a municipality, as defined by item (5) of this section, any county having a border which adjoins a county containing a municipality, as defined by item (5) of this section.

Mr. Moody moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes	41
Noes	49
Present and not voting	3

Representatives voting aye were: Bell, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Curlee, Davidson, Dills, Duer, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Jared, Kent, Lawson, McAfee, McCroskey, Montgomery, Moody, Nance, Napier, Phillips, Rhinehart, Ridgeway, Robinson (Washington), Shirley, Stallings, Starnes, Swann, Tankersley, Turner, C. (Shelby), Ussery, Whitson, Wolfe and Wood--41.

Representatives voting no were: Bewley, Bivens, Bragg, Brewer, Burnett, Chiles, Collier, Cross, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Ellis, Frensley, Gaia, Henry, Hurley, Huskey, Ivy, Jones, Kernell, King, Kisber, Love, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Peroulas, Pruitt, Robinson (Davidson), Scruggs, Severance, Stafford, Tanner, Turner, B. (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler, Williams, Winningham, Wix and Yelton--49.

Representatives present and not voting were: Cobb, Darnell and May--3.

Thereupon, Amendment No. 1 was adopted by the following vote:

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Ayes	52
Noes	39
Present and not voting	1

Representatives voting aye were: Bivens, Bragg, Brewer, Burnett, Chiles, Clark (Davidson), Cobb, Collier, Covington, Cross, Davis (Gibson), Davis (Knox), DeBerry, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Henry, Hurley, Huskey, Ivy, Jones, Kernell, King, Kisber, Love, May, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Peroulas, Pruitt, Robinson (Davidson), Scruggs, Severance, Stafford, Tanner, Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix and Yelton-- 52.

Representatives voting no were: Bell, Bewley, Buck, Byrd, Clark (Sumner), Copeland, Crain, Curlee, Davidson, Davis (Cocke), Dills, Duer, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Jared, Kent, Lawson, McCroskey, Montgomery, Moody, Nance, Napier, Phillips, Rhinehart, Ridgeway, Robinson (Washington), Shirley, Stallings, Swann, Tankersley, Turner, B. (Hamilton), Turner, C. (Shelby), Ussery, Wolfe and Wood--39.

Representative present and not voting was: Darnell--1.

Mr. King moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 604 by adding before Section 33 the following new section:

SECTION ____. If the ownership of a racetrack license is to be held by a public or private corporation created for the purpose of owning a racetrack, fifteen percent (15%) of the stock in the corporation must be reserved for a period of ninety (90) days after the date of the first stock offering on a first refusal basis for purchase by any minority business enterprise. For the purpose of this section, minority business enterprise shall be defined as in 42 USCA 6705, Subsection (f). On expiration of the ninety (90) day period, any person may purchase such outstanding stock.

Amendment No. 2 was adopted by the following vote:

Ayes	54
Noes	32
Present and not voting	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Clark (Davidson), Collier, Covington, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Drew, Ellis, Frensley, Gafford, Henry, Hurley, Huskey, Ivy, Jones, King, Kernell, Kisber, Love, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Peroulas, Phillips, Pruitt, Robinson

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(Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Tanner, Turner, B. (Hamilton), Turner, L. (Shelby), West, Whitson, Williams, Winningham, Wix, Yelton and Mr. Speaker McWherter--54.

Representatives voting no were: Buck, Chiles, Clark (Sumner), Cobb, Copeland, Crain, Curlee, Davis (Knox), Duer, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Jared, Kent, May, McAfee, Moore (Shelby), Nance, Rhinehart, Ridgeway, Shirley, Stallings, Swann, Tankersley, Ussery, Wheeler, Wolfe, Wood and Work-32.

Representatives present and not voting were: Byrd, Darnell, Lawson and Moody--4.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 604 by adding the following as a new section immediately preceding the effective date section and by renumbering subsequent sections accordingly:

Section _____. It is the intention of this act that all costs incurred by the state in implementing and administering this act be paid out of the revenues received from the taxes imposed in this act. The commissioner of finance and administration shall identify all costs incurred by the state to implement and administer this act. All monies to be received into the special agency account known as the "racing development fund" shall be used first to defray costs incurred by the state.

AND FURTHER AMEND by deleting the following language from the first sentence in section 27(h)(6): "the commission"; and by substituting the following sentence in section 27(h)(6):

After defraying the state costs in implementing and administering this act, as provided in section _____, the commission"

AND FURTHER AMEND by deleting in its entirety item (6) from section 21(a) and by renumbering subsequent items accordingly.

AND FURTHER AMEND by adding the following as a new section after section 19 and by renumbering subsequent sections accordingly:

The commission, as an agency of the state, shall prepare its annual budget in accordance with Chapter 6, Title 9 of Tennessee Code Annotated.

Amendment No. 3 was adopted by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb,

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Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe Wood and Yelton--93

Mr. Davis (Knox) moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 604 by inserting the following language as a new Section immediately preceding the severability section and by appropriately renumbering subsequent sections:

SECTION ____. At the statewide general election to be held in November, 1986, voters shall be given the opportunity of expressing their opinions in a statewide advisory referendum on the question of pari-mutuel wagering in Tennessee.

The ballots used in the November, 1986 general election shall also have printed on them the following question:

QUESTION: Do you favor the pari-mutuel wagering in Tennessee?

FOR PARI-MUTUEL WAGERING

AGAINST PARI-MUTUEL WAGERING

The ballots shall be counted and returns made and canvassed as provided by law for other elections and the results certified to the Secretary of State who shall publicly proclaim the results of the advisory referendum.

The commissioners of elections of each county shall be responsible for having the ballots properly prepared to include the question stated herein. The Secretary of State shall appropriately and timely notify each election commissioner of its responsibility to place the question on the ballot.

Mr. Rhinehart moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

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Ayes	69
Noes	22
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Cross, Davidson, Davis (Cocke), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Hillis, Hurley, Huskey, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Severance, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Work and Yelton--69.

Representatives voting no were: Buck, Crain, Curlee, Darnell, Davis (Gibson), Davis (Knox), Harrill, Henry, Hobbs, Ivy, Lawson, Moody, Ridgeway, Robinson (Washington), Scruggs, Shirley, Swann, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Ussery and Wolfe--22.

Representative present and not voting was: Moore (Shelby)--1.

Mr. Davis (Knox) moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 604 by adding after the first sentence of Section 22 (a), the following sentence:

Provided, however, the commission shall grant not more than one (1) license to conduct racing in each grand division as defined in Tennessee Code Annotated, Sections 4-1-202 - 4-1-204.

Amendment No. 5 was adopted by the following vote:

Ayes	62
Noes	32

Representatives voting aye were: Bell, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Collier, Copeland, Covington, Crain, Cross, Darnell, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Gill, Henry, Hobbs, Hurley, Ivy, Jones, King, Kisber, Lawson, Love, May, McAfee, McNally, Miller, Moore (Shelby), Murphy, Naifeh, Napier, Peroulas, Pruitt, Robinson (Davidson), Scruggs, Severance, Stafford, Starnes, Swann, Tanner, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler, Williams, Winningham, Wix, Wood and Yelton--62.

Representatives voting no were: Bewley, Bivens, Byrd, Clark (Sumner), Cobb, Curlee, Davidson, Dills, Garrett, Harrill, Hassell, Hillis, Jared, Kent, Kernell, McCroskey, Montgomery, Moody, Moore (Sullivan), Murray, Nance, Phillips, Rhinehart, Ridgeway, Robinson

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(Washington), Shirley, Stallings, Tankersley, Turner, C. (Shelby), Ussery, Wolfe and Work--32.

Mr. Tanner moved that Senate Bill No. 604 be placed on the Calendar for Thursday, April 25, 1985, which motion prevailed by the following vote:

Ayes	48
Noes	46

Representatives voting aye were: Bell, Bragg, Brewer, Burnett, Chiles, Cobb, Collier, Copeland, Davis (Knox), DeBerry, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Henry, Jones, Kernell, King, Kisber, Love, May, McNally, Miller, Moore (Shelby), Murphy, Murray, Naifeh, Peroulas, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Starnes, Tanner, Turner, B. (Hamilton), Turner, L. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wood, Work and Yelton--48.

Representatives voting no were: Bewley, Bivens, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Dills, Duer, Harrill, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Lawson, McCroskey, Montgomery, Moody, Moore (Sullivan), Nance, Napier, Ridgeway, Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Turner, C. (Shelby), Webb, Whitson, Wix and Wolfe--46.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

CONSENT CALENDAR

House Bill No. 1073--To enact Johnson City Downtown Development Authority.

House Joint Resolution No. 251--Relative to proclaiming "Sigma Chi Derby Days in Tennessee".

House Joint Resolution No. 253--Relative to honoring Dr. Wayne Brown.

House Joint Resolution No. 254--Relative to congratulating Larry Keeton.

House Joint Resolution No. 255--Relative to congratulating Memphis City Beautiful Commission.

House Resolution No. 24--Relative to honoring Johnella H. Martin.

Senate Joint Resolution No. 98--Relative to congratulating Coach Gary Zimmerman and boys' basketball team.

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Senate Joint Resolution No. 99--Relative to commending Dr. Wayne Brown.

Senate Joint Resolution No. 105--Relative to honoring Velma Prentice Burch.

Senate Joint Resolution No. 108--Relative to congratulating Paslode Company.

Senate Joint Resolution No. 114--Relative to commending Elaine Alexander, "Tennessee Teacher of the Year".

Senate Joint Resolution No. 115--Relative to commending J. L. Burr.

Senate Joint Resolution No. 117--Relative to congratulating Coach Don Devoe and U.T. basketball team.

Senate Joint Resolution No. 118--Relative to congratulating Sonny Hicks and Memphis Hillcrest High School.

Senate Joint Resolution No. 119--Relative to congratulating Whitehaven High School boys' basketball team.

Senate Joint Resolution No. 106--Relative to acknowledging Japanese investments.

Mr. Gill moved that the House Bill on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Gill moved that any member who wished to be added as a House sponsor to Senate Joint Resolutions make the request in writing and submit same to the Clerk, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 197--To regulate Criminal Injuries Compensation Fund.

SENATE AMENDMENT NO. 3

Amend House Bill No. 197 1) by deleting the current provisions of Section 9 of the House Bill as amended relating to TCA 29-13-118 and substituting the following:

Section 9. Tennessee Code Annotated 29-13-118 is amended by deleting the current provisions in their entirety and substituting the following:

(a) Each July 1, the Board of Claims shall determine, for the fiscal year, whether estimated revenues for the State Criminal Injuries Compensation Fund will be sufficient to pay awards within six (6) months of receipt of such awards by the Board. If revenues are estimated to be insufficient to pay awards within (6) months of receipt the Board shall determine whether there are sufficient funds to pay the award in the County Criminal Injuries Compensation Reserve for the county from which the award arises. If sufficient funds exist in the appropriate county reserve, the Board shall pay such award from the reserve.

(b) If sufficient funds are estimated to be available to pay awards from the State Criminal Injuries Compensation Fund within six (6) months of receipt for the fiscal year the Board shall direct the Treasurer to transfer funds from the County Criminal Injury Compensation Reserves to the State Fund to be used to pay awards rendered by any court regardless of the county from which the award arises.

(c) All awards paid by the Board from either state or county funds shall be paid in the order that such awards are filed within the Board.

2) by deleting Subsection (d) from the amendatory language of Section 10 of the House Bill as amended and substituting the following:

(d) In addition to all other funds which are set forth in this Section to be deposited into the Criminal Injuries Compensation Fund, all forfeitures of appearance bonds in felony cases shall be paid over to the state treasurer for deposit into the Criminal Injuries Compensation Fund Account to the credit of a special County Criminal Injuries Compensation Reserve which shall be established for each

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county remitting funds under this subsection. The state treasurer is also authorized to accept any funds which may be appropriated for the County Criminal Injuries Compensation Reserve by the county legislative body. These funds, when appropriated by the county legislative body, shall be deposited to the County's Reserve and expended for the same purpose as other funds in the County Criminal Injuries Compensation Reserve.

3) by deleting Section 12 of the House Bill as amended relating to TCA 40-28-204 in its entirety.

4) by deleting Section 13 of the House Bill as amended and inserting instead the following as new Sections:

SECTION ____ TCA 29-13-106 is amended in Subsection (b) by deleting the words "eyeglasses, contact lenses, hearing aids" and substituting instead "dental devices"

SECTION ____ TCA 29-13-108 is amended in Subsection (b) in the second sentence by deleting the word "and" after "to the police" and inserting the following before the period (.) at the end of the sentence:

and the race, sex, national origin and handicap, if any, of the victim, and any other information required by the Board of Claims in order to satisfy federal regulations issued under the "Victims of Crime Act of 1984"

SECTION ____ TCA 29-13-109 is amended in Subsection (f)(2) by inserting a new item after (F) and renumbering the remaining items accordingly. The new item shall read as follows:

Whether the award includes payment of expenses for mental health counseling;

SECTION ____ . If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION ____ This act shall take effect upon becoming a law; with the exception of those sections which relate to eligible claimants or crimes under the law, losses covered by the fund or information to be filed with courts awarding payments which sections shall be effective for crimes occurring on or after July 1, 1985, the public welfare requiring it.

Mr. Cobb moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 474--To make provisions, licensing motorcycles.

SENATE AMENDMENT NO. 1

Amend House Bill No. 474 by deleting the provisions added by House Amendments 2, 3 and 4, as follows:

SECTION _____. Tennessee Code Annotated, Section 55-4-111, is amended by deleting the period at the end of the first sentence of subsection (b) (1) and substituting instead the following:

and such license plates shall bear the word "ANTIQUE" in capital letters in the center of such plate.

SECTION _____. Tennessee Code Annotated, Section 55-4-111, is amended by deleting from the second sentence of subsection (b) (1) the word and figure "thirty (30)" and substituting instead the words and figure "twenty-five (25)" and by deleting from such second sentence the following words and punctuation:

, and which is registered to a person who is a member of an antique automobile or motor vehicle club or association.

SECTION _____. Tennessee Code Annotated, Section 55-4-222, is amended by deleting from subsection (e) the words "as provided for in this part" and substituting instead the words "which shall bear the number for the sheriff's county of jurisdiction" and the word "SHERIFF" in capital letters.

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SENATE AMENDMENT NO. 2

Amend House Bill No. 474 by redesignating Section 3 to be Section 4, and adding a new Section 3, as follows:

SECTION 3. It is the legislative intent that the provisions of this act shall be limited to motorcycles having a saddle for the use of the rider, as specified in Section 55-1-103 (c).

Mr. Gafford moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representative voting no was: Buck--1.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 528--To amend Good Samaritan Law.

SENATE AMENDMENT NO. 1

Amend House Bill No. 528 by deleting from Section 2 thereof the words "and while assisting medical personnel at the receiving medical facility"

Mr. Hurley moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

Mr. McCroskey moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 270 out of order, which motion prevailed.

House Joint Resolution No. 270--Relative to commending Jeffrey R. Ensor--By McCroskey and Robinson (Washington).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McCroskey, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 272 out of order, which motion prevailed.

House Joint Resolution No. 272--Relative to honoring memory of Oliver Floyd Meredith and Mary Nell Meredith--By Wheeler.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Darnell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 274 out of order, which motion prevailed.

House Joint Resolution No. 274--Relative to commending Crystal Gayle--By Chiles and Darnell.

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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Darnell, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Bills Nos. 1081 and 1082 out of order, which motion prevailed.

INTRODUCTION OF BILLS

House Bill No. 1081--To make certain provisions, Lake City--By Wheeler.

Passed first consideration.

House Bill No. 1082--To authorize certain tax, Lake City--By Wheeler.

Passed first consideration.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 256--Relative to congratulating Marilyn Taylor--By Drew.

Under the rules, House Joint Resolution No. 256 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 257--Relative to study, escheat of decedents' estates--By Buck and Murphy.

The Speaker referred House Joint Resolution No. 257 to the Committee on Judiciary.

House Joint Resolution No. 258--Relative to study, issues of D.E.S use--By Kisber.

The Speaker referred House Joint Resolution No. 258 to the Committee on General Welfare.

House Joint Resolution No. 259--Relative to study, litigation tax laws--By Williams and Murphy.

The Speaker referred House Joint Resolution No. 259 to the Committee on Judiciary.

House Joint Resolution No. 261--Relative to honoring Giles County High School girls' basketball team--By DePriest.

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Under the rules, House Joint Resolution No. 261 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 262--Relative to commending Judge Larry Potter--By Kent.

Under the rules, House Joint Resolution No. 262 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 263--Relative to honoring Loy L. Smith--By Davis (Knox), Scruggs, May, Miller, Severance, Drew and Peroulas.

Under the rules, House Joint Resolution No. 263 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 264--Relative to congratulating Perry County High School boys' basketball team--By Ivy.

Under the rules, House Joint Resolution No. 264 was referred to the Committee on Calendar and Rules.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 69--Relative to proposed amendment, representation, District of Columbia.

The Speaker referred Senate Joint Resolution No. 69 to the Committee on Judiciary.

Senate Joint Resolution No. 79--Relative to saving Job Corps.

The Speaker referred Senate Joint Resolution No. 79 to the Committee on Labor and Consumer Affairs.

INTRODUCTION OF BILLS

House Bill No. 1077--To amend Road Law, Dickson County--By Work.

Passed first consideration.

House Bill No. 1078--To amend Chapter 86, Public Acts, 1985--By Rhinehart.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 234--To regulate defense of sovereign immunity.

Passed first consideration.

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Senate Bill No. 475--To regulate nonsupport, spouses and children.

Passed first consideration.

Senate Bill No. 559--To regulate chauffeurs licenses.

Passed first consideration.

Senate Bill No. 794--To establish Viticulture Advisory Board.

Passed first consideration.

Senate Bill No. 867--To regulate Reelfoot Lake Drainage Basin.

Passed first consideration.

Senate Bill No. 933--To adjust various taxes, Department of Commerce and Insurance.

Passed first consideration.

Senate Bill No. 976--To regulate labeling, certain imported goods.

Passed first consideration.

Senate Bill No. 1044--To regulate use, certain traps, certain counties.

Passed first consideration.

SENATE BILLS ON SECOND CONSIDERATION

Senate Bill No. 1019--To amend Chapter 60, Private Acts, 1975.

Passed second consideration and held without reference.

Senate Bill No. 1045--To regulate Henry County wheel tax.

Passed second consideration and held without reference.

Senate Bill No. 1046--To create City Sessions Court, Lexington.

Passed second consideration and held without reference.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1075--To regulate Department of Transportation.

Passed second consideration and referred to Committee on Transportation.

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House Bill No. 1076--To regulate use of deadly force, law enforcement officers.

Passed second consideration and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 748 (with amendment), 859 (with amendment), 874 and 898 (with amendment).

MURRAY, Chairman.

Under the rules, House Bills Nos. 748, 859, 874 and 898 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 222.

HILLIS, Chairman.

Under the rules, House Joint Resolution No. 222 was transmitted to the Committee on Calendar and Rules.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 215, 418 (with amendment), 597, 935 and House Joint Resolution No. 135 and further recommend that pursuant to House Rule No. 71, House Bill No. 418 be referred to the Committee on Finance, Ways and Means.

WORK, Chairman.

Under the rules, House Bills Nos. 215, 597, 935 and House Joint Resolution No. 135 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bill No. 418 (with amendment) to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for

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passage: House Bills Nos. 393 (with amendment), 466 (with amendment), 767 and 880 (with amendment) and 979; and House Joint Resolution No. 212.

BRAGG, Chairman.

Under the rules, House Bills Nos. 393, 466, 767, 880, 979 and House Joint Resolution No. 212 were transmitted to the Committee on Calendar and Rules.

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bill No. 953.

DeBERRY, Vice, Chairman.

Under the rules, House Bill No. 953 was transmitted to the Committee on Calendar and Rules.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 590 (with amendment), 840 and 990.

KING, Chairman.

The Speaker referred House Bill No. 590 (with amendment) to the Committee on Judiciary, House Bill No. 840 to the Committee on General Welfare and House Bill No. 990 to the Committee on Commerce.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 304 (with amendment), 718, 727, 749, 752 (with amendment) and 753 and further recommend that pursuant to House Rule No. 71, House Bill No. 727 be referred to the Committee on Finance, Ways and Means.

MURPHY, Chairman.

Under the rules, House Bills Nos. 304, 718, 749, 752 and 753 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bill No. 727 to the Committee on Finance, Ways and Means.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs

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leave to report that we have carefully considered and recommend for passage: House Bills Nos. 307, 308 (with amendment), 309 (with amendment), 310 (with amendment), 311 (with amendment), 943 (with amendment) and 1011 (with amendment) and further recommend that pursuant to House Rule No. 71, House Bill No. 311 and 943 be referred to the Committee on Finance, Ways and Means.

ELLIS, Chairman.

Under the rules, House Bills Nos. 307, 308, 309, 310 and 1011 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bill No. 311 (with amendment) and 943 to the Committee on Finance, Ways and Means.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 122 (with amendment), 210, 525 (with amendment), 675, 820 (with amendment) and 913 (with amendment).

MILLER, Chairman.

Under the rules, House Bills Nos. 122, 210, 525, 675, 820, 913 were transmitted to the Committee on Calendar and Rules.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 264 (with amendment), 533 (with amendment), 894 (with amendment) and 900 (with amendment) and further recommend that pursuant to House Rule No. 71, House Bill No. 894 be referred to the Committee on Finance, Ways and Means.

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 264, 533 and 900 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule 71, the Speaker referred House Bill No. 894 (with amendment) to the Committee on Finance, Ways and Means.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, April 18, 1985: House Bills Nos. 782, 170, 502, 402, 682, 792, 315, 772, 774, 735, 987, 291, 790, 14 and 1030; and House Joint Resolution No. 222.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 532, 582, 655, 883, 966 and 1073; and House Joint Resolutions Nos. 251, 253, 254, 255, 270, 272 and 274; and find same correctly engrossed and ready for transmission to the Senate.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No:

260--Relative to honoring Johnella H. Martin; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

538--To extend power of local governments, slum clearance; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 939, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 327--Dills

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House Bill No. 708--Cobb

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following resolutions on the Consent Calendar for Thursday, April 18, 1985: House Joint Resolutions Nos. 256, 261, 262, 263 and 264.

GILL, Chairman.

REPORT OF DELAYED BILLS COMMITTEE

The undersigned members of the Delayed Bills Committee have approved the following bills: House Bills Nos. 1022, 1076 and 1078.

Ned R. McWherter

Jimmy Naifeh

James M. Henry

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m. tomorrow.